

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DAVID LEE LALACK,

04-CV-002-ST

Petitioner,

ORDER

v.

ROBERT LAMPERT,

Respondent.

**NOEL GREFENSON**

Noel Grefenson P.C.  
1415 Liberty Street South  
Salem, OR 97302  
(503) 371-1700

Attorney for Petitioner

**HARDY MYERS**

Attorney General

**DOUGLAS Y.S. PARK**

Assistant Attorney General  
Department of Justice  
1162 Court Street N.E.  
Salem, OR 97301  
(503) 378-6313

Attorneys for Respondent

**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#38) on January 13, 2006, in which she recommended this Court deny the Petition for Writ of Habeas Corpus (#1). The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983). See also *Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

**CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#38). Accordingly, the Court **DENIES** the Petition for Writ of Habeas Corpus (#1) and **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 13<sup>th</sup> day of March, 2006.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge